

Assassination Records Review Board

§ 1410.20

SOURCE: 60 FR 45339, Aug. 31, 1995, unless otherwise noted.

§ 1410.5 Scope.

This part contains the Review Board's regulations implementing the Freedom of Information Act, 5 U.S.C. 552.

§ 1410.10 Definitions.

(a) *Review Board record* is a record in the possession and control of the Review Board that is associated with Review Board business. Review Board records do not include:

(1) Publicly available books, periodicals, films, sound or video recordings, photographs, or other publications that are owned or copyrighted by nonfederal sources that the Review Board acquires and uses for reference and research purposes;

(2) Records owned by another Federal agency that the Review Board temporarily holds for the purpose of conducting its review under the President John F. Kennedy Assassination Records Collection Act of 1992 (JFK Act) (FOIA requests for such documents should be directed to the originating agency);

(3) Records delivered to the Review Board for transfer to the JFK Collection at the National Archives and Records Administration (NARA).

(b) *Designated FOIA Officer* means the person designated by the Executive Director to administer the Review Board's activities pursuant to the regulations in this part. The Designated FOIA Officer shall also be the Review Board officer having custody of or responsibility for Review Board records and shall be the Review Board's officer responsible for authorizing or denying production of Review Board records upon request filed pursuant to § 1410.25.

(c) *Executive Director* means the principal staff official appointed by the Review Board pursuant to 44 U.S.C. 2107.8(a).

(d) *Review Board* means the Assassination Records Review Board created pursuant to 44 U.S.C. 2107.7.

§ 1410.15 Requests for Review Board records available through the Public Reading Room.

(a) A Public Reading Room will be maintained at the Review Board head-

quarters and will be open between 10 a.m. and 4:30 p.m., Monday through Friday, except on Federal holidays. Documents may be obtained in person from the Public Reading Room.

(b) The Public Reading Room records will include the following (if and when such records are created):

(1) The Review Board's rules and regulations;

(2) Statements of policy adopted by the Review Board;

(3) Transcripts of public hearings;

(4) Review Board orders, decisions, notices, and other formal actions;

(5) Copies of all unclassified filings, certifications, pleadings, Review Board records, briefs, orders, judgments, decrees, and mandates in court proceedings to which the Review Board is a party and the correspondence with the courts or clerks of court;

(6) Unclassified reports to Congress in which the Review Board's operations during a past fiscal year are described;

(7) Administrative staff manuals and instructions to staff to the extent that such manuals or instructions affect a member of the public; and

(8) Indices of the documents identified in this section, but not including drafts thereof.

§ 1410.20 Review Board records exempt from public disclosure.

The Review Board will make all Review Board records available for inspection and copying, except that it may exempt from release those portions of:

(a) Review Board records specifically authorized under criteria established by an Executive Order to be kept secret in the interest of national defense or foreign policy, and that are in fact properly classified pursuant to such Executive Order;

(b) Review Board records related solely to the internal personnel rules and practices of the Review Board;

(c) Review Board records specifically exempted from disclosure by statute (other than 5 U.S.C. 552), provided that such statute:

(1) Requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or